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CHANDIGARH ADMINISTRATION
HOME DEPARTMENT

Notification

The 8th January, 2025

No. 479730-HIII(3)-2025/238.—In pursuance of OM No. AB.14017/13/2013-Estt.(RR), dated 31.03.2015 issued by Govt. of India, Ministry of Personnel, PG & Pensions, (Department of Personnel & Training), New Delhi and the Department of Personnel, Chandigarh Administration letter No. 34/23/94-1H(7)-2024/9569 dated 10.07.2024, a Departmental Promotion Committee and Departmental Confirmation Committee consisting of following members is hereby constituted, in respect of Group 'B' posts in Zila Sainik Welfare Office, Union Territory Chandigarh :-

(i)	Home Secretary	Chairman
(ii)	Special/Additional/Joint Secretary (Personnel)	Member
(iii)	Director Social Welfare or their representative	Member
(iv)	Regional Employment Officer or their representative	Member

2. The Committee shall function in accordance with the guidelines issued by the Chandigarh Administration/ Govt. of India from time to time. This supersedes earlier notifications in this regard.

Chandigarh, Dated
The 1st January, 2025.

RAJEEV VERMA, IAS,
Adviser to the Administrator,
Chandigarh Administration.

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**CHANDIGARH ADMINISTRATION
HOME DEPARTMENT**

Notification

The 8th January, 2025

No. 479730-HIII(3)-2025/234 .—In pursuance of OM No. AB.14017/13/2013-Estt.(RR), dated 31.03.2015 issued by Govt. of India, Ministry of Personnel, PG& Pensions, (Department of Personnel & Training), New Delhi and the Department of Personnel, Chandigarh Administration letter No. 34/23/94-1H(7)-2024/9569 dated 10.07.2024, a Departmental Promotion Committee and Departmental Confirmation Committee consisting of following members is hereby constituted, in respect of Group 'C' posts in Zila Sainik Welfare Office, Union Territory Chandigarh :

(i)	Deputy Commissioner-cum-President, Zila Sainik Board	Chairman
(ii)	Representative of Personnel Department	Member
(iii)	Representative of Social Welfare	Member
(iv)	Representative of Regional Employment Officer	Member

2. The Committee shall function in accordance with the guidelines issued by the Chandigarh Administration/ Govt. of India from time to time. This supersedes earlier notifications in this regard.

Chandigarh, Dated
The 1st January, 2025.

MANDIP SINGH BRAR, IAS,
Home Secretary,
Chandigarh Administration.

CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 30th December, 2024

No. 459072-HII(2)-2024/19591.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference No. **61/2024** dated **28.11.2024** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

ASHOK KUMAR S/O SH. BALBIR SINGH, R/O V.P.O. BHAGWANPUR, BARWALA,
DISTRICT PANCHKULA. (Workman)

AND

M/S DESH SEWAK ASSOCIATION, SECTOR 29-D, CHANDIGARH THROUGH ITS
MANAGING DIRECTOR. (Management)

AWARD

1. Vide Endorsement No.459072-HII(2)-2024/14748 Dated 23.09.2024 the Secretary Labour, Chandigarh Administration has referred the dispute to this Court / Tribunal on the claim application filed by Ashok Kumar (*here-in-after referred "workman"*) to M/s Desh Sewak Association (*here-in-after referred "management"*) under Section 17(1) of the Working Journalists & Other Newspaper Employees (Condition of Service) and Miscellaneous Provisions Act, 1955 (*here-in-after in short referred "Act 1955"*) in following words :-

"Whether the arrears of revision of pay to Sh. Ashok Kumar, S/o Sh. Balbir Singh, R/o VPO Bhagwanpur, Barwala, Distt. Panchkula (Applicant/Claimant) AND M/s Desh Sewak Association, Sector 29-D, Chandigarh Through its Managing Director (Management) according to the recommendations of the Majithia Wage Board and also as per the direction of the Hon'ble Supreme Court of India under The Working Journalists And Other Newspaper Employees (Conditions of Service) And Miscellaneous Provision Act, 1955 and in compliance of the orders dated 28.04.2015, 12.01.2016, 14.03.2016, 23.08.2016 passed by the Hon'ble Supreme Court of India in CCP No.128/2015 and 129/2015 AND Writ Petition (Civil) 246/2011 dated 07.02.2014; if so, to what effect and to what relief he is entitled to, if any ?"

2. Upon notice, the workman appeared in person and thereafter the workman appeared through his Representative Shri Subhash Talwar. Briefly stated the averments of claim application are that the workman-applicant is working as a Foreman in the Administration Department of Desh Sewak Printers having its Registered Office at Sector 29-D, Chandigarh on a monthly wages of ₹15,593/-including all perks and allowances. The workman-applicant is regular employee of the respondent-management. On account of revision of pay and other allowances accrued on the acceptance of Majithia Wage Board Recommendations, which were accepted by the Government of India and notified in the Gazette of India on 11.11.2011, a substantial amount is due from Desh Sewak Printers Limited (management-respondent) and as such the workman-applicant is fully competent to invoke the jurisdiction of Assistant Labour Commissioner-cum-Conciliation Officer vested under Section 17(1) of the Act 1955. There is no complaint against the work and conduct of the workman-applicant. His work and conduct is appreciated by all his colleagues and superiors. The workman-applicant is regularly

getting benefits payable under different Acts and Provisions. The services of the workman-applicant are regulated under the Act 1955 which was enacted to regulate the certain conditions of service of working journalists and other employees employed in the Newspaper Establishment. As per notification dated 11.11.2011, it is apparent that employees have been categorized in groups and as such the workman-applicant being Foreman falls within the ambit of Group-4 Factory Staff of the Schedule III (Grouping of non-journalist newspapers employees factory staff which is evident at Page 33 and 37 of the Report). The workman-applicant along with other employees of the respondent-management through their Union have been demanding payment of arrears of wages as per the Majithia Wage Board Recommendations. The demand of employees has not been acceded by the respondent-management. The amount which is liable to be recovered from the respondent-management based on revised pay on the basis of Majithia Wage Board Recommendations is the legitimate and legal dues of the applicant-workman and as such the applicant-workman is legally entitled to receive the same. The workman-applicant got his arrears calculated by a competent Chartered Accountant as per Majithia Wage Board Recommendations w.e.f 11.11.2011 to 31.12.2017. As such, the total amount of ₹ 3,60,144/- excluding interest is due from the management-respondent. The management-respondent is intentionally and deliberately not implementing the recommendations of Majithia Wage Board despite of the regular demand of the employees. Prayer is made that management-respondent may be directed to implement the recommendations of Majithia Wage Board and the workman-applicant may be paid a sum of ₹ 3,60,144/- as arrears of wages along with interest @12% per annum from the date of accrual till actual realisation.

3. Notice issued to the management-respondent through ordinary process for dated 04.11.2024 was received back executed through Shri Umed Singh, Clerk but none appeared on behalf of the management-respondent. Thus, vide order dated 04.11.2024, the management-respondent was proceeded against ex-parte.

4. In ex-parte evidence workman-applicant Ashok Kumar examined himself as AW1 and tendered his affidavit Exhibit 'AW1/1' along with fitment chart accompanied with calculation sheet (colly consisting of 3 pages) vide Exhibit 'W1' and closed his evidence.

5. I have heard the arguments of Learned Representative for the workman-applicant and perused the Judicial file.

6. In order to prove the issue framed in the Reference Order dated 06.09.2024 referred vide Endorsement No.459072-HII(2)-2024/14748 Dated 23.09.2024, workman-applicant examined himself as his own witness as AW1 and vide his affidavit Exhibit 'AW1/A' deposed that he was working as Foreman in Desh Sewak Printers Limited having its registered office at Sector 29-D, Chandigarh since October, 1998 and his services were illegally and wrongly terminated by the management on 20.05.2020 and for his reinstatement he has raised an industrial dispute which is pending before the Industrial Tribunal-cum-Labour Court, U.T. Chandigarh. At the time of termination, he was drawing a monthly wages of ₹ 13,410/- including all perks and allowances. He was a regular employee of the management. In his remaining testimony, AW1 deposed the entire averments of claim application in toto which are not reproduce here for the sake of brevity. AW1 supported his oral version with document Exhibit 'W1'.

7. From the oral as well as documentary evidence led by the workman-applicant, it comes out that the workman-applicant was working with the respondent-management as Foreman since October, 1998. The services of the workman-applicant were terminated on 20.05.2020. The last drawn monthly wages of workman-applicant were ₹ 13,410/- including all perks and allowances. The workman-applicant was regular employee of the management-respondent which is a newspaper publication establishment. The services of the workman-applicant were governed by Act, 1955. The recommendations of Majithia Wage Board recommended revised rate of wages for working Journalists and Non-Journalists employees of all newspaper establishments which were notified in the Central Government Gazette on 11.11.2011. Thus, the notification

dated 11.11.2011 is applicable to the workman-applicant. The workman-applicant has alleged that he falls in Group-6 of the schedule-III of the notification. The workman-applicant alleged that he has been paid monthly wages less than the wages fixed under the Majithia Wage Board recommendations. Despite his regular demand, the management-respondent did not pay the difference of wages as calculated in the fitment chart and calculation sheet Exhibit 'W1' for the period December, 2011 to December, 2017. The above-mentioned version of AW1 supported with Exhibit 'W1' has gone unrebuted and unchallenged as despite service of notice, the management-respondent did not bother to contest the claim application and preferred to be proceeded against ex-parte. There is no reason to disbelieve the evidence led by the workman-applicant. The workman is entitled to recover the difference of arrears of wages as per the Majithia Wage Board recommendations for the period w.e.f 11.11.2011 to 31.12.2017.

8. In view of the discussion made above, this industrial dispute is ex-parte allowed and answered in favour of the workman to the effect that the workman is held entitled to recover the difference of arrears of wages as per the Majithia Wage Board recommendations for the period w.e.f 11.11.2011 to 31.12.2017. The management is directed to comply with the Award within three months from the date of publication of the same in Government Gazette failing which the management shall be liable to pay interest at the rate 8% per annum on the amount of consequential benefits from the date of this Award till its actual realisation. Appropriate Government be informed. Copy of this Award be also sent to Learned District Judge, Chandigarh in view of Sub-section 10 of Section 11 of the Industrial Disputes (Amendment) Act, 2010 for onward transmission of the same to concerned Civil Court. File be consigned to the record room.

(Sd.) . . . ,

(JAGDEEP KAUR VIRK)

PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh.
UID No. PB0152

Dated : 28.11.2024.

CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 30th December, 2024

No. 459067-HII(2)-2024/19593.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference No. **63/2024** dated **28.11.2024** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

YAM BAHADUR S/O SH. BIR BAHADUR, R/O HOUSE NO. 1532, SECTOR 36-D,
CHANDIGARH.(Workman)

AND

M/S DESH SEWAK ASSOCIATION, SECTOR 29-D, CHANDIGARH THROUGH ITS
MANAGING DIRECTOR. (Management)

AWARD

1. Vide Endorsement No.459067-HII(2)-2024/14756 Dated 23.09.2024 the Secretary Labour, Chandigarh Administration has referred the dispute to this Court / Tribunal on the claim application filed by Yam Bahadur (*here-in-after referred "workman"*) to M/s Desh Sewak Association (*here-in-after referred "management"*) under Section 17(1) of the Working Journalists & Other Newspaper Employees (Condition of Service) and Miscellaneous Provisions Act, 1955 (*here-in-after in short referred "Act 1955"*) in following words :-

"Whether the arrears of revision of pay to Sh. Yam Bahadur, S/o Sh. Bir Bahadur , R/o House No. 1532, Sector 36-D, Chandigarh (Applicant/Claimant) AND M/s Desh Sewak Association, Sector 29-D, Chandigarh Through its Managing Director (Management) according to the recommendations of the Majithia Wage Board and also as per the direction of the Hon'ble Supreme Court of India under The Working Journalists And Other Newspaper Employees (Conditions of Service) And Miscellaneous Provision Act, 1955 and in compliance of the orders dated 28.04.2015, 12.01.2016, 14.03.2016, 23.08.2016 passed by the Hon'ble Supreme Court of India in CCP No.128/2015 and 129/ 2015 AND Writ Petition (Civil) 246/2011 dated 07.02.2014; if so, to what effect and to what relief he is entitled to, if any ?"

2. Upon notice, the workman appeared in person and thereafter the workman appeared through his Representative Shri Subhash Talwar. Briefly stated the averments of claim application are that the workman-applicant is working as a Helper in the Administration Department of Desh Sewak Printers having its Registered Office at Sector 29-D, Chandigarh on a monthly wages of ₹ 13,871/-including all perks and allowances. The workman-applicant is regular employee of the respondent-management. On account of revision of pay and other allowances accrued on the acceptance of Majithia Wage Board Recommendations, which were accepted by the Government of India and notified in the Gazette of India on 11.11.2011, a substantial amount is due from Desh Sewak Printers Limited (management-respondent) and as such the workman-applicant is fully competent to invoke the jurisdiction of Assistant Labour Commissioner-cum-Conciliation Officer vested under Section 17(1) of the Act 1955. There is no complaint against the work and conduct of the workman-applicant. His work and conduct is appreciated by all his colleagues and superiors. The workman-applicant is regularly

getting benefits payable under different Acts and Provisions. The services of the workman-applicant are regulated under the Act 1955 which was enacted to regulate the certain conditions of service of working journalists and other employees employed in the Newspaper Establishment. As per notification dated 11.11.2011, it is apparent that employees have been categorized in groups and as such the workman-applicant being Helper falls within the ambit of Group-4 Factory Staff of the Schedule III (Grouping of non-journalist newspapers employees factory staff which is evident at Page 33 and 37 of the Report). The workman-applicant along with other employees of the respondent-management through their Union have been demanding payment of arrears of wages as per the Majithia Wage Board Recommendations. The demand of employees has not been acceded by the respondent-management. The amount which is liable to be recovered from the respondent-management based on revised pay on the basis of Majithia Wage Board Recommendations is the legitimate and legal dues of the applicant-workman and as such the applicant-workman is legally entitled to receive the same. The workman-applicant got his arrears calculated by a competent Chartered Accountant as per Majithia Wage Board Recommendations w.e.f 11.11.2011 to 31.12.2017. As such, the total amount of ₹ 3,49,590/- excluding interest is due from the management-respondent. The management-respondent is intentionally and deliberately not implementing the recommendations of Majithia Wage Board despite of the regular demand of the employees. Prayer is made that management-respondent may be directed to implement the recommendations of Majithia Wage Board and the workman-applicant may be paid a sum of ₹ 3,49,590/- as arrears of wages along with interest @12% per annum from the date of accrual till actual realisation.

3. Notice issued to the management-respondent through ordinary process for dated 04.11.2024 was received back executed through Shri Umed Singh, Clerk but none appeared on behalf of the management-respondent. Thus, vide order dated 04.11.2024, the management-respondent was proceeded against ex-parte.

4. In ex-parte evidence workman-applicant Yam Bahadur examined himself as AW1 and tendered his affidavit Exhibit 'AW1/1' along with fitment chart accompanied with calculation sheet (colly consisting of 3 pages) vide Exhibit 'W1' and closed his evidence.

5. I have heard the arguments of Learned Representative for the workman-applicant and perused the Judicial file.

6. In order to prove the issue framed in the Reference Order dated 06.09.2024 referred vide Endorsement No.459067-HII(2)-2024/14756 Dated 23.09.2024, workman-applicant examined himself as his own witness as AW1 and vide his affidavit Exhibit 'AW1/A' deposed that he was working as Helper in Desh Sewak Daily having its registered office at Sector 29-D, Chandigarh since 13.10.2000 and his services were illegally and wrongly terminated by the management on 20.05.2020 and for his reinstatement he has raised an industrial dispute which is pending before the Industrial Tribunal-cum-Labour Court, U.T. Chandigarh. At the time of termination, he was drawing a monthly wages of ₹ 13,410/- including all perks and allowances. He was a regular employee of the management. In his remaining testimony, AW1 deposed the entire averments of claim application in toto which are not reproduce here for the sake of brevity. AW1 supported his oral version with document Exhibit 'W1'.

7. From the oral as well as documentary evidence led by the workman-applicant, it comes out that the workman-applicant was working with the respondent-management as Helper since 13.10.2000. The services of the workman-applicant were terminated on 20.05.2020. The last drawn monthly wages of workman-applicant were ₹ 13,410/- including all perks and allowances. The workman-applicant was regular employee of the management-respondent which is a newspaper publication establishment. The services of the workman-applicant were governed by Act, 1955. The recommendations of Majithia Wage Board recommended revised rate of wages for working Journalists and Non-Journalists employees of all newspaper establishments which were notified in the Central Government Gazette on 11.11.2011. Thus, the notification

dated 11.11.2011 is applicable to the workman-applicant. The workman-applicant has alleged that he falls in Group-6 of the schedule-III of the notification. The workman-applicant alleged that he has been paid monthly wages less than the wages fixed under the Majithia Wage Board recommendations. Despite his regular demand, the management-respondent did not pay the difference of wages as calculated in the fitment chart and calculation sheet Exhibit 'W1' for the period December, 2011 to December, 2017. The above-mentioned version of AW1 supported with Exhibit 'W1' has gone unrebutted and unchallenged as despite service of notice, the management-respondent did not bother to contest the claim application and preferred to be proceeded against ex-parte. There is no reason to disbelieve the evidence led by the workman-applicant. The workman is entitled to recover the difference of arrears of wages as per the Majithia Wage Board recommendations for the period w.e.f 11.11.2011 to 31.12.2017.

8. In view of the discussion made above, this industrial dispute is ex-parte allowed and answered in favour of the workman to the effect that the workman is held entitled to recover the difference of arrears of wages as per the Majithia Wage Board recommendations for the period w.e.f 11.11.2011 to 31.12.2017. The management is directed to comply with the Award within three months from the date of publication of the same in Government Gazette failing which the management shall be liable to pay interest at the rate 8% per annum on the amount of consequential benefits from the date of this Award till its actual realisation. Appropriate Government be informed. Copy of this Award be also sent to Learned District Judge, Chandigarh in view of Sub-section 10 of Section 11 of the Industrial Disputes (Amendment) Act, 2010 for onward transmission of the same to concerned Civil Court. File be consigned to the record room.

(Sd.) . . .,

(JAGDEEP KAUR VIRK)

PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh.
UID No. PB0152

Secretary Labour,
Chandigarh Administration.

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Notification

The 7th January, 2025

No. 1 E.I./V.B.(3-E).—After considering the request dated 03.01.2025 of Sh. Ramanjeet, Reader of this Court (the then Senior Assistant of Sessions Division, Ludhiana), Hon'ble the Chief Justice has been pleased to relieve him from the post of Reader w.e.f. 07.01.2025 (AN) so as to enable him to join his new assignment in Department of Personnel, (P.C.S Branch), Government of Punjab, consequent upon his appointment as P.C.S. (Ex. Br.) vide appointment letter dated 31.12.2024.

(Sd.) . . .,

(ASHISH KUMAR BANSAL),
Registrar (Administration),
for Registrar General.

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Notification

The 8th January, 2025

No. 2.—Ms. Kusum Lata, Assistant Registrar, Punjab and Haryana High Court, Chandigarh has retired from services of this Court w.e.f. 31.12.2024 (A.N.) on attaining the age of superannuation i.e. 58 years.

(Sd.) . . .,

(ASHISH KUMAR BANSAL),
Registrar (Administration),
for Registrar General.

CHANGE OF NAME

I, Shreya Raghu Poojary Wife of Parminder Singh Resident of House No. 335, Sector 44-A, Chandigarh-160047, have changed my name to Shreya Poojary.

[48-1]

I, Aryan Anand S/o Sanjay Kumar Singh, R/o # 11, Sector 31-A, Chandigarh-160030, have changed my name from Aryan Anand to Aurvik Kashyap for all furture purposes.

[49-1]

I, Ayushi Rastogi D/o Tanay Rastogi W/o Tushar Kapoor # 508, Sector 8, Chandigarh, have changed my name to Ayushi R. Kapoor.

[50-1]

I, Bindu jain W/o Raakesh Nand Jain R/o House No. 142, Sector 9-B, Chandigarh, have changed my name from Bindu jain to Binduu jain.

[51-1]

I, Lakhmit Singh S/o Jaswinder Singh R/o H. No. 215, Punjab Engineering College Campus, Sector 12, Chandigarh, have changed my name from Lakhmit Singh to Lakhmmiit Singh.

[52-1]

I, Sangeeta w/o Sachin # 1698, Ramdarbar, Phase-2, Chandigarh, have changed my name to Sangeeta Sachin Gaikwad.

[53-1]

मैं, सोनम देवी पत्नी पंकज कुमार निवासी मकान नं. 440, संजय लेबर कॉलोनी, फेज - 1, इंड, एरिया, चंडीगढ़, घोषणा करती हूं कि मैंने अपने नाबालिंग बेटे का नाम सोरया से बदलकर शौर्य रख लिया है ।

[54-1]

I, Balram S/o Rangi Lal # 221, Phase 2, Sector 26, Bapu Dham Colony, Chandigarh, have changed the namke of my minor daughter from Aarvi to Saanvi.

[55-1]

I, Nanku Ram Son of Ramdeen R/o Now at Village Makhan majra, PO Paipur Khurd, Chandigarh. Have changed my name Nankau Kashyap to Nanku Ram. Concerned pls. note.

[56-1]

I, Sukhvinder Singh S/o Sh. Kaur Singh, R/o House No. 649, First Floor, Sector 20-A, Chandigarh, have changed my minor son's name from Ishaan Kainth to Ishaan Singh.

[57-1]

I, Avinder Paul Kaur W/o Manish Kumar R/o # 1804, Nirvana Cooperative House Building Society, Sector 49-B, Chandigarh, declare that Avinder paul Kaur, Avinder Paul and Avinder Kaur are one and the same person. Now my Original name is Avinder paul kaur.

[58-1]

I, Ganga, Son of Sombir, resident of House No. 4192, Maloya, Chandigarh, hereby inform that in my son's birth certificate, my name is recorded as Sanjay alias Ganga, and my wife's name is Kamna. Now, my name is Ganga, and my wife's name is Kamna Kumari. For all future purposes, my son's name has been changed from Nitin to Lovely.

[59-1]

I, Poonam Devi W/o Pawan Kumar R/o # 1792, Aman Colony, Vill. Dhanash, Chandigarh, declares that in the birth certificate of my daughter Disha Sharma, my name wrongly written as Poonam Kumari instead of Poonam Devi.

[60-1]

I, Sanjay Kumar S/o Sham Dass # 2358, Sector 38-C, Chandigarh, is hereby declare that in documents issued by HUDA, Panchkula (Haryana) my Grandfather name written advertantly as Chuni Lal instead of father's name which is Sham Dass. In future, my father's name ie. Sham Dass may be treated instead of my grandfather's name in all Documents.

[61-1]

I, Sarita Devi D/o Ram Preet Chaudhary R/o House No. 72, Sector 52, Kajheri, Chandigarh, declare that my father name is wrongly mention in my Pan Card as Muna but correct name is Ram Preet Chaudhary.

[62-1]

I, Geeta Kumari W/o Ajay # 644, Hallomajra, Chandigarh, have changed my name to Gita Devi.

[63-1]

I, Shishpal Kumar S/o Amiri R/o House No. 538, Hallomajra, Chandigarh, have changed my name from Shishpal Kumar to Shishpal.

[64-1]

"No legal responsibility is accepted for the contents of publication of advertisements/public notices in this part of the Chandigarh Administration Gazette. Persons notifying the advertisements/public notices will remain solely responsible for the legal consequences and also for any other misrepresentation etc."